

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
BEAUFORT DIVISION**

Matthew Madore and Mattie Madore,) Case No. 9:22-cv-1974-BHH
) (Formerly Case No.: 2022CP2700231)
)
 Plaintiffs,)
)
)
 v.)
)
)
William C. Simmons; Federal Express) **NOTICE OF REMOVAL**
Corporation; and Federal Express Freight)
Inc.,)
)
 Defendants.)

TO: THE UNITED STATES DISTRICT COURT:

Defendants, William C. Simmons, Federal Express Corporation, and Federal Express Freight Inc., would respectfully show the Court in support of its Notice of Removal that:

1. The Summons and Complaint in this action were filed on May 31, 2022 in the Court of Common Pleas for Jasper County, South Carolina. Attached for the Court are copies of Plaintiff's Summons and Complaint. The Complaint is the first pleading served upon the Defendant in this action and service was affected on June 6, 2022. Therefore, removal is timely under 28 U.S.C. §1446(b).

2. The United States District Court has jurisdiction over this action pursuant to 28 U.S.C. §1332. The Plaintiffs are residents and citizens of the State of Florida; Defendant William C. Simmons is a resident and citizen of the State of Georgia; Defendants Federal Express Corporation and Federal Express Freight Inc. are incorporated in the State of Delaware and has their principal place of business in the State of Tennessee. The action has been brought by the Plaintiff against the Defendants for the alleged accident which occurred in Jasper County, South Carolina.

3. Venue is proper in this matter in the Beaufort Division of this Court in accordance with 28 U.S.C. §1441(a).

4. Upon information and belief, the amount in controversy in this matter exceeds \$75,000.00 as Plaintiff alleges permanent injuries which required medical treatment and related expenses, and missed time at work resulting in lost wages.

5. Defendants have filed no pleadings in this action with the Court of Common Pleas for the State of South Carolina in response to this Complaint; however, Defendant's Answer to the Plaintiff's Complaint is filed herewith contemporaneously.

6. Defendants have furnished a copy of this Notice of Removal to the Clerk of Court for Jasper County.

Respectfully submitted,

SWEENEY, WINGATE & BARROW, P.A.

s/Mark S. Barrow
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ATTORNEYS FOR THE DEFENDANTS

Columbia, South Carolina

June 22, 2022